

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Of: Odidi, et al.

Group No.: TBD

Serial No.: 10/561,700

International Application No.: PCT/UCA2004/000825

Docket No. 221904-1050

International Filing Date: June 3, 2004

For: **Proton Pump-Inhibitor-Containing Capsules Which Comprise Subunits Differently Structured For A Delayed Release Of The Active Ingredient**

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN
THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Mail Stop PCT (DO/EO/US)
Commissioner for Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In Response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office, dated November 3, 2006, please find enclosed:

1. Executed Declaration;
2. a copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office; and
4. Credit card payment form in the amount of \$65.00 to pay for additional fees.

11/16/2006 GFREY1 00000160 10561700

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The Commissioner is authorized to charge Deposit Account 20-0778 for any deficiencies or credit any over payments.

Respectfully Submitted,

**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**

By: 

Christopher B. Linder, Reg. No. 47,751

Suite 1750, 100 Galleria Parkway
Atlanta, Georgia 30339-5948
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CERTIFICATE OF EXPRESS MAIL

Mail Stop PCT (EO/DO/US)
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

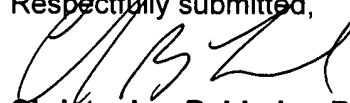
Sir:

Enclosed for filing in the above case are the following documents:

Return Postcard
Response to Notification of Missing Requirements
Copy of Notification of Missing Requirements
Declaration and Power of Attorney
Credit Card Payment Form in the amount of \$65.00

Further, the Commissioner is authorized to charge Deposit Account No. 20-0778 for any additional fees required. The Commissioner is requested to credit any excess fee paid to Deposit Account No. 20-0778.

Respectfully submitted,



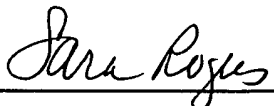
Christopher B. Linder, Reg. No. 47,751

THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.
100 Galleria Parkway, N.W.
Suite 1750
Atlanta, Georgia 30339-5948
Our Docket No: 221907-1010

I hereby certify that all correspondences listed above are being deposited for delivery to the above addressee, with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 CFR §1.10 on the date indicated below:

The envelope has been given U.S. Postal Service "Express Mail Post Office To Addressee" Package # EV861590461US.

Date: 11/10/06


Sara Rogers



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/561,700	Isa Odidi	221904-1050

INTERNATIONAL APPLICATION NO.

PCT/CA04/00825

I.A. FILING DATE

06/03/2004

PRIORITY DATE

06/26/2003

Christopher B Linder
 Thomas Kayden Horstemeyer Risley LLP
 100 Galleria Parkway NW Suite
 Atlanta, GA 30339-5948

CONFIRMATION NO. 8166

371 FORMALITIES LETTER



OC000000021072996

Date Mailed: 11/03/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/22/2005
- Copy of the International Search Report filed on 12/22/2005
- Preliminary Amendments filed on 12/22/2005
- Information Disclosure Statements filed on 12/22/2005
- U.S. Basic National Fees filed on 12/22/2005
- Priority Documents filed on 12/22/2005

DOCKETED

1/3/07

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

THOMAS KAYDEN
 HORSTEMEYER & RISLEY, LLP

NOV 06 2006

- **\$65** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/561,700	PCT/CA04/00825	221904-1050